
GUIDELINE FOR INFORMAL PROBATE

ST. CROIX COUNTY
PROBATE OFFICE
1101 CARMICHAEL ROAD
HUDSON WI 54016

HOURS:
MONDAY – FRIDAY
8:00 AM – 5:00 PM

PHONE: 715-386-4619

NOTE: This guideline is provided only as a public service and is not meant to be legal advice. The Register in Probate office cannot give legal advice; please contact an attorney if you have legal questions.

If you are commencing an informal probate without an attorney:

- Review the following information carefully.
- Complete all forms listed below under “to start an informal probate”.

All forms are available on-line and can be found at: www.wicourts.gov or you can purchase a packet of forms from the Register in Probate Office.

- Fill the forms in on-line as a Word document and then print; or
- Print the forms and complete by hand, print in legible hand writing.

***An appointment is recommended when you are ready to file your papers.**

You may seek the advice of an attorney at any time during the probate process.

TO START AN INFORMAL PROBATE: complete and file the originals of the following:

PR-1801	Application for Informal Administration
PR-1806	Proof of Heirship
PR-1803	Waiver and Consent (from all interested persons)
PR-1804	Notice to Creditors (when waiver and consents are filed; OR, if waivers are not filed, complete PR-1805)*
PR-1805	Notice Setting Time to Hear Application and Deadline for Filing Claims (used <u>only</u> if you do not obtain waiver and consents from all interested persons) See * below
PR-1807	Consent to Serve
PR-1808	Proposed Statement of Informal Administration
PR-1810	Proposed Domiciliary Letters
<i>Original</i>	Will and any Codicils (copy to be provided to all interested persons)
Other	Trusts – see page 3.

*If a hearing on notice is required, the Personal Representative will be appointed after the hearing and when the following documents are filed:

- Affidavit of Publication from the newspaper, and
- Form PR-1817 Affidavit of Service showing proof that the Notice was mailed to all interested persons.
- Bond, if required. Determination will be made by the Probate Court before Domiciliary Letters are issued.

****IMPORTANT: If there is no Will and you do not obtain Waiver and Consents from all interested persons before filing your application, you cannot go forward with informal administration. See Sec. 865.02(1)(b)1, Wis. Stats.***

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AFTER THE PERSONAL REPRESENTATIVE IS APPOINTED: complete the following steps:

SECOND STEP: INVENTORY

PR-1811	Inventory DUE no later than 4 months after Domiciliary Letters are issued
Filing Fee	Statutory inventory filing fee of 0.2% of the inventoried assets is due when the inventory is filed
PR-1817	Affidavit of Service – to show Inventory has been provided to interested persons
Original	Affidavit or Proof of Publication from the newspaper (if not already filed)
Original	Probate Claims Notice and proof of mailing showing copy was mailed to WI Dept. of Family Services and the County Clerk (if decedent did or may have received services through the State and/or County)

THIRD STEP: ESTATE ACCOUNT

PR-1814	Estate Account w/ attached schedules
PR-1817	Affidavit of Service to show Estate Account has been provided to interested persons
Note	Any additional property listed in Schedule A of the Estate Account is subject to an additional 0.2% filing fee

FINAL STEP: CLOSING DOCUMENTS

The estate shall be closed within 12 months of filing the Application pursuant to 10th Judicial District benchmarks.

Original	Closing Certificate for Fiduciaries *see “Tax Matters” below
PR-1815	Estate Receipt from heirs/beneficiaries for partial and/or full distributions
PR-1815	Estate Receipt from claimants, if claims were filed
PR-1816	Statement of Personal Representative to Close Estate

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ADDITIONAL INFORMATION FOR INFORMAL PROBATES

TRUSTS: If the decedent's Will establishes a testamentary trust, complete the following forms: PR-1930 Consent to Serve as Trustee and PR-1931 Letters of Trust and file the originals with the Register in Probate office when the estate is opened.

CLAIMS: It is the Personal Representative's responsibility to check the court record for any claims filed. The website is: <http://wcca.wicourts.gov/index.xsl>. Copies of filed claims can be obtained from the Register in Probate office for a fee of \$1.00 per page. The personal representative must resolve all claims filed against the estate before the estate can be closed.

CERTIFIED COPIES: You may need certified copies of the Domiciliary Letters or other documents during the course of administration. The fee is \$3.00 for each certification and \$1.00 for each page copied and compared. If requested through the mail, please enclose a self-addressed, stamped envelope together with the correct fee. The appropriate fee for all certified copies must be paid before they will be provided.

ADDITIONAL RESOURCES: A booklet called "A Personal Representative's Guide to Informal Probate in Wisconsin" is available on-line at www.wripa.org. Print or save it to your desktop for easy access.

TAX MATTERS: The personal representative may seek the assistance of a tax preparer or accountant if necessary.

A Closing Certificate for Fiduciaries is required before closing the estate. Request the Closing Certificate by completing Schedule CC and any other necessary fiduciary tax returns (Wisconsin Form 2). Submit Schedule CC along with Form 2 together with all requested documents to: Wisconsin Department of Revenue, PO Box 8918, Madison WI 53708-8918. **WISCONSIN TAX FORMS ARE FOUND AT:** <http://www.dor.state.wi.us/html/formpub.html>

IRS NOTICE: The Internal Revenue Service may be a creditor of the decedent and should be promptly notified of the death and any probate proceeding. Form 56 - Notice Concerning Fiduciary Responsibility can be found at www.irs.gov.

You can also eFile your probate file!
Check it out at: www.wicourts.gov/ecourts/efilecircuit